

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Thomas Juliano	Team: Squad #06	CCRB Case #: 202104829	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Friday, 08/13/2021 1:37 AM, Friday, 08/13/2021 2:12 AM	Location of Incident: § 87(2)(b) § 87(2)(b) Hospital	18 Mo. SOL 2/13/2023	Precinct: 32		
Date/Time CV Reported Mon, 08/16/2021 8:55 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 08/16/2021 8:55 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. PO Dylan Arencibia	22004	964890	PSA 6
2. POM Orandi Guzman	23322	969764	PSA 6

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. PO Jason Squillace	03415	943843	BX COURT

Officer(s)	Allegation	Investigator Recommendation
A. PO Dylan Arencibia	Force: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia struck § 87(2)(b) with a vehicle.	§ 87(2)(b)
B. PO Dylan Arencibia	Force: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia used physical force against § 87(2)(b)	§ 87(2)(b)
C. PO Dylan Arencibia	Discourtesy: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia spoke discourteously to § 87(2)(b)	§ 87(2)(b)
D. PO Dylan Arencibia	Force: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia used a chokehold against § 87(2)(b)	§ 87(2)(b)
E. PO Dylan Arencibia	Abuse: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia disseminated information regarding § 87(2)(b) medical status.	§ 87(2)(b)
F. PO Dylan Arencibia	Abuse: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia forcibly removed § 87(2)(b) to the hospital.	§ 87(2)(b)
G. PO Dylan Arencibia	Abuse: At § 87(2)(b) Hospital in Manhattan, Police Officer Dylan Arencibia failed to provide § 87(2)(b) with a business card.	§ 87(2)(b)
H. POM Orandi Guzman	Abuse: At § 87(2)(b) Hospital in Manhattan, Police Officer Orandi Guzman failed to provide § 87(2)(b) with a business card.	§ 87(2)(b)

Case Summary

On August 16, 2021, § 87(2)(b) filed this complaint with the CCRB via the online website.

On August 13, 2021, § 87(2)(b) was outside on the sidewalk of a NYCHA building when PO Dylan Arencibia of PSA 6 struck § 87(2)(b) with the mirror of his vehicle (**Allegation A – Force:** § 87(2)(g) PO Arencibia exited the van, took § 87(2)(b) to the ground (**Allegation B– Force:** § 87(2)(g) PO Arencibia asked § 87(2)(b) “Are you fucking dumb?” in addition to other profanity captured on BWC (**Allegation C – Discourtesy:** § 87(2)(g) PO Arencibia placed § 87(2)(b) in a chokehold (**Allegation D – Force:** § 87(2)(g) PO Arencibia allegedly stated that § 87(2)(b) was schizophrenic in front of bystanders (**Allegation E – Abuse of Authority:** § 87(2)(g) PO Arencibia forcibly removed § 87(2)(b) to § 87(2)(b) Hospital (**Allegation F – Abuse of Authority:** § 87(2)(g) At § 87(2)(b) Hospital, § 87(2)(b) asked PO Arencibia and PO Orandi Guzman of PSA6 for business cards, but did not receive any (**Allegations G and H – Abuse of Authority:** § 87(2)(g) No arrests or summonses resulted from this incident.

Three BWC videos of this incident were obtained and can be found in IAs #61-63. A summary of the footage can be found in IA #64 (**BR 01**).

Findings and Recommendations

Allegation A – Force: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia struck § 87(2)(b) with a vehicle.

§ 87(2)(b) testified that on August 13, 2021, at approximately 1:37 a.m., he exited his building, located at § 87(2)(b) in Manhattan, when he saw three police cars in the building’s parking lot, across from where § 87(2)(b) was standing. § 87(2)(b) who was standing in the roadway, turned around and saw a police van, driven by PO Arencibia, standing behind him. The van did not have its lights or sirens on. § 87(2)(b) did not know if PO Arencibia, the driver, wanted him to go left or right and pointed each way with his hand to try and ask PO Arencibia. PO Arencibia drove past § 87(2)(b) on the left and § 87(2)(b) moved over. § 87(2)(b) raised his hands as he was upset that the van drove close to him. As PO Arencibia drove past, the passenger side mirror hit into § 87(2)(b) forearm, causing the mirror to fold in. The mirror lightly hit § 87(2)(b) arm and did not cause pain or injury. PO Arencibia then stopped the van (**BR 02**).

PO Arencibia testified that was driving his marked police van in a NYCHA complex with his partner, PO Guzman, in the passenger seat. A lieutenant, who PO Arencibia did not recall, called over the air stating that a vehicle was stolen and requested the officers’ assistance in conducting a vertical patrol, which was a non-emergency. PO Arencibia drove on the walking path of the NYCHA complex, which emergency vehicles are authorized to drive on. PO Arencibia drove approximately 10 mph with his turret lights on when he came across § 87(2)(b) who he was familiar with from a previous incident. § 87(2)(b) stood in the middle of the walkway and pointed left or right to ask PO Arencibia which direction he should go. PO Arencibia veered left with his van, and § 87(2)(b) walked around the right side of the van. As § 87(2)(b) got to the passenger side and as PO Arencibia was driving past, § 87(2)(b) hit the passenger side mirror closed. PO Arencibia did not strike § 87(2)(b) with the van and there was enough room on the walkway for him to pass safely. PO Arencibia did not know how exactly § 87(2)(b) closed the mirror as he was focused on the road. Upon realizing that § 87(2)(b) hit the van, PO Arencibia stopped the van and exited (**BR 03**).

PO Guzman’s statement was consistent with PO Arencibia’s statement. He testified that § 87(2)(b) deliberately hit the van’s mirror closed and that PO Arencibia did not strike § 87(2)(b) with the van (**BR 04**).

PO Guzman’s BWC footage, starting at the 00:35 mark of the timestamp visible at the bottom of

the screen, shows that PO Guzman was in the passenger seat of a marked police van driven by PO Arencibia. The van slows almost to a stop before beginning to move again. At 00:38, § 87(2)(b) is seen on the passenger side of the van. § 87(2)(b) reaches up with his hand and pushes the van's mirror closed with his hand (BR 05).

§ 87(2)(b) testified that PO Arencibia past him with the marked police van and struck § 87(2)(b) arm with the passenger side mirror of the van. PO Arencibia and PO Guzman both denied that PO Arencibia struck § 87(2)(b) with the van's mirror. The BWC supports their statement that § 87(2)(b) deliberately closed the mirror, and shows that PO Arencibia slowed down to almost a complete stop upon approaching § 87(2)(b).

§ 87(2)(g)

Allegation B – Force: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia used physical force against § 87(2)(b)

Allegation C – Discourtesy: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia spoke discourteously to § 87(2)(b)

Allegation D – Force: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia used a chokehold against § 87(2)(b)

PO Guzman's BWC footage, starting at the 00:45 mark of the timestamp visible at the bottom of the screen, shows that after § 87(2)(b) hit the van's mirror closed, both officers exited the van. PO Arencibia walks around the back of the van and approaches § 87(2)(b) who stands still while appearing to be on his phone. PO Arencibia grabs § 87(2)(b) by the shoulder and pushes him against the van. § 87(2)(b) turns his body to the left, and PO Arencibia wraps his arms around § 87(2)(b) mid-section, and pulls him to the ground (BR 05).

PO Arencibia's BWC footage, starting at the 00:59 mark of the timestamp visible at the bottom of the screen, is a continuation of the same moment. PO Arencibia's BWC falls to the ground and points up and shows § 87(2)(b) on all fours and PO Arencibia on top of him. At 01:01, PO Arencibia asks § 87(2)(b) "Are you fucking dumb?" PO Arencibia then orders § 87(2)(b) to get up while on top of his back. At 01:10, PO Arencibia places his left forearm across § 87(2)(b) throat and grab's § 87(2)(b) right shoulder. At 01:19, PO Guzman picks up PO Arencibia's camera and the view is obscured. At 01:28, the view is restored and PO Arencibia's arm is no longer around § 87(2)(b) neck. PO Arencibia orders § 87(2)(b) to put his arms behind his back. § 87(2)(b) asks PO Arencibia if he will allow him to get up, and PO Arencibia responds by repeatedly ordering § 87(2)(b) to place his arms behind his back. PO Arencibia tells PO Guzman to call for an ambulance. At 02:12, PO Arencibia orders § 87(2)(b) again to place his hands behind his back, and asks § 87(2)(b) "The fuck is wrong with you?" At 02:34, the officers place § 87(2)(b) in handcuffs and stand him up. At 02:28, PO Arencibia states, "Motherfucker, you just hit the thing. What is wrong with you?" (BR 06).

§ 87(2)(b) testimony was consistent with the BWC footage. He testified that he was standing next to the van on his phone attempting to record when PO Arencibia asked him, "Are you fucking dumb." PO Arencibia then grabbed him and took him to the ground without first attempting to handcuff him or giving him any orders. As PO Arencibia tackled § 87(2)(b) PO Arencibia wrapped his arm around § 87(2)(b) upper body, hitting his watch on § 87(2)(b) left eyebrow. § 87(2)(b) sustained a cut and was bleeding on his face. § 87(2)(b) fell forward and landed on his hands and knees, causing scratches to his knees. PO Arencibia ordered § 87(2)(b) to lay on the ground, however, § 87(2)(b) did not want to put his open wound onto the ground (BR 02).

§ 87(2)(b) provided three photos to the investigation. The first photo shows a cut to his left eyebrow and dried blood on his nose. The second and third photos show cuts to § 87(2)(b) knees (BR 07).

§ 87(2)(b) medical records show § 87(2)(b) was taken to § 87(2)(b) Hospital via EMS. § 87(2)(b) He arrived via EMS and is listed as being escorted by himself. His arrival complaint is listed as EDP and he stated that he sustained laceration to his left eyebrow after police tackled him. Medical staff noted that he had a laceration on his left eyebrow and abrasions on both knees. The medical staff cleaned § 87(2)(b) wounds. § 87(2)(b) refused an x-ray and stated that he wished to go home. It is noted that § 87(2)(b) has previous medical history of psychosis, erratic behavior, and hallucinations (BR 08).

PO Arencibia testified that he was familiar with § 87(2)(b). A few months prior to this incident, PO Arencibia responded to § 87(2)(b) apartment because § 87(2)(b) was hallucinating that there were snakes under his bed. PO Arencibia looked under § 87(2)(b) bed and assured § 87(2)(b) that there were no snakes present. The officers removed § 87(2)(b) to the hospital, but § 87(2)(b) who is strong and muscular, resisted heavily. It took four officers to get § 87(2)(b) into custody. PO Arencibia did not learn if § 87(2)(b) had any specific medical diagnoses, but believed from his own knowledge and from what he observed that § 87(2)(b) was schizophrenic. On the night of this incident, after PO Arencibia stopped and exited his van, PO Arencibia walked around the van and approached § 87(2)(b). PO Arencibia immediately grabbed § 87(2)(b) by the arms and placed him against the police van. § 87(2)(b) attempted to turn around and PO Arencibia took § 87(2)(b) to the ground as he felt he could have better control over § 87(2)(b) on the ground. PO Arencibia did not give § 87(2)(b) orders prior to grabbing him nor did he give § 87(2)(b) a chance to voluntarily be placed in handcuffs. PO Arencibia believed that § 87(2)(b) was an Emotionally Disturbed Person (EDP) because he stood in the middle of the road while an emergency vehicle with their lights on approached him, and because § 87(2)(b) hit the mirror of the van closed. Typically, PO Arencibia speaks with EDPs and attempts to deescalate situations, however, because of PO Arencibia's prior experience with § 87(2)(b) and because PO Arencibia and PO Guzman were alone, PO Arencibia did not speak to § 87(2)(b) prior to grabbing him as he wanted to get § 87(2)(b) into custody as quickly as possible to avoid additional confrontation or fighting. PO Arencibia did not recall wearing a watch. He did not strike § 87(2)(b) with his watch. § 87(2)(b) fell to the ground on all fours and PO Arencibia leaned over § 87(2)(b) back. PO Arencibia asked § 87(2)(b) questions, but could not recall the exact conversation that they had. PO Arencibia knew that he used the word "fuck" while speaking with § 87(2)(b). He stated that he did so to attempt to gain compliance with getting § 87(2)(b) hands behind his back, and also because as a New Yorker, it is in his commonly used vocabulary. PO Arencibia held § 87(2)(b) in a "seatbelt" hold, with his right arm around the front of § 87(2)(b) chest. PO Arencibia's shoulder was against the side of § 87(2)(b) neck, but his forearm did not make contact with § 87(2)(b) throat. PO Arencibia learned this hold in his personal wrestling experience, and he was not taught to use it at the Police Academy. PO Arencibia did not place § 87(2)(b) in a chokehold. § 87(2)(b) had a cut on his head, but PO Arencibia did not know how § 87(2)(b) sustained the cut or if he had the injury prior to the incident.

PO Arencibia was shown his BWC footage. The video refreshed PO Arencibia's recollection that he had his left arm around § 87(2)(b) chest, and that he had asked § 87(2)(b) "Are you fucking dumb," and called him a "motherfucker." PO Arencibia did not have any further justification for his use of profanity. PO Arencibia acknowledged that he initially ordered § 87(2)(b) to stand up when in fact he wanted § 87(2)(b) to provide his hands – in the heat of the moment PO Arencibia said the wrong command. Though he initially testified his arm was across his chest, after reviewing his BWC, he acknowledged that his arm was on his throat, not his chest, and he believed it moved there due to § 87(2)(b) movements. PO Arencibia testified that it was not his intention to have his arm against § 87(2)(b) throat, and stated that his arm slid up from § 87(2)(b) movement. PO Arencibia did not apply pressure to § 87(2)(b) throat (BR 03).

Officers should inform prisoners of authority and cause of arrest, unless physical resistance, flight, or other factors render such procedure impractical (**BR 09**) NYPD Patrol Guide, Procedure 208-02.

When appropriate and consistent with personal safety, members of service (MOS) will use de-escalation techniques to safely gain voluntary compliance. MOS are to use the minimum force necessary to effect an arrest. In determining whether the use of force is reasonable, MOS should consider the nature and severity of the crime, actions taken by the subject, duration of the action, immediacy of the perceived threat, whether the subject is actively resisting custody, whether the subject is attempting to evade arrest by flight, number of subjects in comparison to the number of MOS, size, age, and condition of the subject in comparison to the MOS, subject's violent history if known, presence of hostile crowd or agitators, and if the subject is under the influence of any substances. Officers shall not use a chokehold. A chokehold shall include, but is not limited to, and pressure to the throat or windpipe, which may prevent or hinder breathing or reduce intake of air (**BR 10**) NYPD Patrol Guide, Procedure 221-01.

Police officers must be courteous and respectful when dealing with civilians NYPD Patrol Guide, Procedure 203-09 (**BR 10**). While officers are allowed to use discourteous language during stressful situations, officers are only permitted to do so when scenes are so chaotic that the duty of courteousness and professional behavior should be overridden by the immediate need to maintain order. Disciplinary Case No. 2017 17005 (**BR 12**).

The BWC shows that PO Arencibia did not inform § 87(2)(b) that he was being placed into custody prior to grabbing him nor did he afford § 87(2)(b) the ability to voluntarily comply with being taken into custody prior to his use of force. PO Arencibia testified that he did this because he had a prior experience with § 87(2)(b) in which he was an EDP and four officers struggled to get him into custody, so he took him to the ground to get him into custody as quickly as possible to avoid further confrontation. However, the BWC footage shows that at the moment that PO Arencibia grabbed § 87(2)(b) § 87(2)(b) was standing still looking at his phone and showing no signs of violence. Additionally, the officers outnumbered § 87(2)(b) two-to-one. PO Arencibia's actions were an escalation of the incident, which goes against the Patrol Guide's mandate of de-escalation. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

It is undisputed that PO Arencibia cursed at § 87(2)(b) making the statements, "Are you fucking dumb," and BWC confirmed that PO Arencibia said, "Motherfucker you hit the thing." PO Arencibia testified that he utilized the profanity to gain compliance, however, neither use of profanity was used in the context of a command, and the latter was made after § 87(2)(b) was in custody. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

The BWC footage shows that after § 87(2)(b) was on the ground, PO Arencibia placed his arm around § 87(2)(b) neck, with his forearm against his throat, which is classified as a chokehold as per Patrol Guide, Procedure 221-01. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Allegation E – Abuse of Authority: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia disseminated information regarding § 87(2)(b) medical status.

§ 87(2)(b) testified that there were approximately ten bystanders observing from approximately six

feet away. After the officers placed § 87(2)(b) in handcuffs, PO Arencibia told PO Jason Squillace of PSA6, who arrived after § 87(2)(b) was placed in handcuffs, that § 87(2)(b) was a paranoid schizophrenic. § 87(2)(b) believed that the bystanders heard PO Arencibia make the statement due to their close proximity. § 87(2)(b) told PO Arencibia that he was not, and that he was never diagnosed as such (BR 02).

PO Arencibia testified that there were bystanders who observed the incident. PO Arencibia did not tell the bystanders that § 87(2)(b) suffered from schizophrenia (BR 03).

PO Arencibia's BWC footage, starting at the 04:50 mark of the timestamp visible at the bottom of the screen, shows that after § 87(2)(b) is in custody, PO Squillace arrives on scene. PO Arencibia, who is standing near the rear of the van, tells PO Squillace in a low voice that § 87(2)(b) is schizophrenic and that he has dealt with him before. § 87(2)(b) replies in a loud voice that it is defamation as he does not suffer from schizophrenia. At 05:04, the bystanders are seen approximately one car-length from the front of the van and looking in the opposite direction (BR 06).

§ 87(2)(b) testified that PO Arencibia told PO Squillace that he was schizophrenic in the presence of bystanders, and that he believed that they heard the statement. The BWC footage shows that PO Arencibia told PO Squillace at the rear of the police van, in a low voice, that § 87(2)(b) was schizophrenic, and that the bystanders were over a car length away in front of the van. Additionally, there is no indication that the bystanders heard the statement as they were faced in the opposite direction. § 87(2)(g)

Allegation F – Abuse of Authority: At § 87(2)(b) in Manhattan, Police Officer Dylan Arencibia forcibly removed § 87(2)(b) to the hospital.

§ 87(2)(b) alleged that PO Arencibia called for an ambulance and that he was taken to § 87(2)(b) Hospital where he had his injuries looked at and did not receive a psychiatric evaluation. § 87(2)(b) was not upset about going to the hospital as he wanted to have his injuries looked at. Doctors examined § 87(2)(b) physical injuries and wanted to take x-rays, but § 87(2)(b) refused as he wanted to go home (BR 02).

§ 87(2)(b) medical records show that § 87(2)(b) was taken to § 87(2)(b) Hospital via EMS. § 87(2)(b) He arrived via EMS and is listed as being escorted by himself. His arrival complaint is listed as EDP and he stated that he sustained laceration to his left eyebrow after police tackled him. Medical staff noted that he had a laceration on his left eyebrow and abrasions on both knees. The medical staff cleaned § 87(2)(b) wounds. § 87(2)(b) refused an x-ray and stated that he wished to go home. It is noted that § 87(2)(b) has previous medical history of psychosis, erratic behavior, and hallucinations (BR 08).

PO Arencibia stated that he called for an ambulance for § 87(2)(b). PO Arencibia suspected that § 87(2)(b) was an EDP because of a previous interaction that he had with § 87(2)(b) in which § 87(2)(b) hallucinated that there were snakes under his bed. PO Arencibia thought that § 87(2)(b) needed medical attention as he stood in the middle of the roadway as an emergency vehicle approached him, and because § 87(2)(b) hit the van's mirror closed. PO Arencibia decided to call EMS to the scene to evaluate § 87(2)(b) and to defer to their decision on how to handle the situation. Once EMTs arrived, PO Arencibia explained what transpired to an EMT who ultimately decided to remove § 87(2)(b) to the hospital (BR 06).

PO Guzman testified that he believed that § 87(2)(b) could have been charged with criminal mischief for striking the van's mirror, however, PO Arencibia made the decision to remove § 87(2)(b).

§ 87(2)(b) to the hospital because he was an EDP. PO Guzman could not recall if there were any additional factors indicating that § 87(2)(b) was an EDP other than § 87(2)(b) hitting the van's mirror. PO Guzman could not recall if § 87(2)(b) said anything about or did anything that was a potential harm to himself or others (BR 04).

PO Arencibia's BWC footage, starting at the 18:02 mark of the timestamp visible at the bottom of the screen, shows that PO Arencibia approaches an EMT who arrives on scene. Part of the conversation is not audible, due to the noise of the ambulance's running engine, but PO Arencibia is heard telling the EMT that he has dealt with § 87(2)(b) before, that § 87(2)(b) slapped the mirror of the police van closed, and that § 87(2)(b) has a laceration on his head. The EMT then opens the rear door of the ambulance, enters, and PO Guzman escorts § 87(2)(b) into the ambulance (BR 06).

The AIDED report noted that the officers responded to a job at the POLO grounds as per the 30th Precinct lieutenant. Upon arrival, the AIDED male § 87(2)(b) was standing in the officers way and not allowing the officers to get by. § 87(2)(b) moved out of the way once the officers passed. § 87(2)(b) intentionally caused harm to himself by slapping the passenger window with his left hand. No damage was sustained to the patrol vehicle (BR 18). § 87(2)(b) appeared to have a cut on his eyebrow but it was unknown how the cut was sustained.

An emotionally disturbed person as a "person who appears to be mentally ill or temporarily deranged" who must be taken into protective custody if officers reasonably believe that the person is likely to injure themselves or others. The procedure notes that officers should attempt to slow the pace of the incident, establish dialogue with the emotionally disturbed person while awaiting specialized personnel, have the emotionally disturbed person removed to a hospital by ambulance, and ride in the body of the ambulance with the emotionally disturbed person. Additionally, officers may restrain the individual if appropriate and remove any property that is dangerous to life or will aid escape NYPD Patrol Guide Procedure 221-13 (BR 14).

§ 87(2)(b) alleged that PO Arencibia removed him to the hospital. While § 87(2)(b) stated that he was not upset about going to the hospital and that he wanted his injuries looked at, according to § 87(2)(b) the injuries were sustained while PO Arencibia took § 87(2)(b) into custody to remove him to the hospital as an EDP. PO Arencibia stated that he believed that § 87(2)(b) was an EDP as he had a previous interaction with § 87(2)(b) in which § 87(2)(b) hallucinated that there were snakes under his bed. PO Arencibia's statement is supported by § 87(2)(b) medical records which state that § 87(2)(b) has had a previous medical history of psychosis, erratic behavior, and hallucinations. Furthermore, PO Arencibia stated that he believed that § 87(2)(b) needed medical attention as he stood in front of the moving van and struck the mirror, actions that were captured on BWC (See Allegation A).

The investigation has concluded that § 87(2)(b) action of hitting the mirror of a moving vehicle did put him at risk of harming himself, and was indicative of § 87(2)(b) mental state. § 87(2)(b) also noted that he was a willing participant in being removed to the hospital to get his injury examined.

§ 87(2)(g)

Allegation G – Abuse of Authority: At § 87(2)(b) Hospital in Manhattan, Police Officer Dylan Arencibia failed to provide § 87(2)(b) with a business card.

Allegation H – Abuse of Authority: At § 87(2)(b) Hospital in Manhattan, Police Officer Orandi Guzman failed to provide § 87(2)(b) with a business card.

§ 87(2)(b) testified that after arriving at § 87(2)(b) Hospital, the officers walked § 87(2)(b) into the ER

waiting room. Hospital police arrived and asked the officers to unhandcuff § 87(2)(b) which they did. § 87(2)(b) asked PO Arencibia and PO Guzman for their business cards and they said they would get one from their car, but the officers left without providing their business cards (BR 02).

PO Arencibia testified that § 87(2)(b) asked PO Arencibia and PO Guzman for their business cards. PO Arencibia did not have the cards on him as they were in the car. PO Arencibia did not recall if he provided § 87(2)(b) with a business card and stated that it was possible that he did not. PO Arencibia did not recall if PO Guzman provided § 87(2)(b) with a business card (BR 06).

PO Guzman could not recall if § 87(2)(b) requested officers' business cards. PO Guzman could not recall if him or PO Arencibia provided their business cards to § 87(2)(b) (BR 05).

There is no BWC footage of this allegation as officers are not permitted to activate their BWC inside of hospitals.

§ 87(2)(b) testified that he asked both officers for a business card. PO Arencibia acknowledged that § 87(2)(b) requested business cards, and PO Guzman did not recall if § 87(2)(b) requested business cards. However, neither officer recalled if they provided § 87(2)(b) with a business card. § 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) § 87(2)(b)
- § 87(2)(b) § 87(2)(b)
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- § 87(2)(b) § 87(2)(b)

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- As of March 3, 2022, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards this to complaint (BR 16).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 06

Investigator: Inv. Thomas Juliano
Signature

Inv. Thomas Juliano
Print Title & Name

3/11/2022
Date

Squad Leader: _____ Jessica Peña

IM Jessica Peña

3/11/2022

Signature

Print Title & Name

Date